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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,593	06/18/2001	Jeff M. Anderson	10010867-1	3384

7590 10/05/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

DIVINE, LUCAS

ART UNIT PAPER NUMBER

2624

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/884,593

Applicant(s)

ANDERSON ET AL.

Examiner

Lucas Divine

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

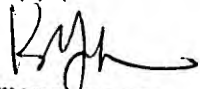
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-8 and 10-29.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see Attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


KING Y. POON
PRIMARY EXAMINER

Attachment

1. Applicant's arguments filed 9/19/05 have been fully considered but they are not persuasive.

With respect to applicant's arguments in the second paragraph of page 13 regarding claim 11 about the "second printer".

In reply, applicant has not provided evidence from the reference supporting any of the claims stated. In fact, all evidence Examiner has located supports the rejection.

In col. 33 line 25, Shima specifically teaches that second printer has a configuration like that of the first (see Fig. 22). This means that the second printer has an analogous setup to that shown in Fig. 23, wherein the image controller and its document analyzer and other components work in the same way as in the first printer. There is no indication of a 'quick render' that doesn't go through all of the steps of Fig. 24. In fact, the second printer would go through all the steps of Fig. 24 when it accepts data from another device, including identifying the file and what type of rendering it needs, as well as doing the rendering. To illustrate, what if file formats C and D and E all were sent from printer 1 to printer 2. Therefore the data would need to be analyzed and each rendered specifically to that format. The request from printer 1 to 2 discussed in col. 33 lines 17-30 states that the data is sent as a request for rendering. There is nothing stated that this is anything other than a standard request for rendering where data is sent along with a request for it to be rendered. Thus, it must go through all the processes as stated in Fig. 24.

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With respect to applicant's arguments near the bottom of page 16 regarding the 103 rejection with Shima.

In reply, no discussion of the actual combination of embodiments 1 and 7 has been set forth. In addition, no discussion of the motivation or lack of limitations has been set forth other than that of claim 11 above. Further, applicant discusses features of the invention of applicant that aren't specifically claimed. Limitations from applicant's specification cannot be read into the claims. Further notes on applicant's comments note that Shima discusses using the Internet and broad printing systems (see Fig. 4 and the discussion throughout Shima) as well as sending via TCP/IP (which includes information on what device it receives a rendering request from and which would also be included in applicant's Internet rendering system).


KING Y. POON
PRIMARY EXAMINER